

10-606. SHOOTING WILD WATERFOWL FROM ANY BOAT PROHIBITED; LIABILITY OF OWNER; PRIMA FACIE EVIDENCE OF VIOLATION.

(A) SHOOTING FROM ANY BOAT PROHIBITED. - A PERSON MAY NOT HUNT OR PURPOSELY, OR UNNECESSARILY DISTURB WILD WATERFOWL FROM OR IN A BOAT OF ANY DESCRIPTION WITHIN THE STATE. HOWEVER, THIS SECTION DOES NOT PROHIBIT A PERSON FROM IMMEDIATELY RETRIEVING WOUNDED OR DEAD WILD WATERFOWL BY ANY BOAT PROPELLED BY MOTOR IF THE BIRD IS WOUNDED OR KILLED LEGALLY. THIS SECTION DOES NOT PROHIBIT HUNTING WILD WATERFOWL BY BOAT ON STATE OR FEDERALLY OWNED OR CONTROLLED HUNTING AREAS IF PERMITTED BY FEDERAL AND STATE RULES AND REGULATIONS.

(B) LIABILITY OF OWNER. - THE OWNER OF ANY BOAT PROPELLED BY OR EQUIPPED WITH SAIL OR ENGINES OF ANY KIND, OR THE OWNER OF ANY SHARE OR INTEREST IN THE BOAT, MAY NOT USE OR PERMIT ITS USE FOR ANY OF THE ACTS PROHIBITED BY THE PROVISIONS OF THIS SECTION. A PERSON MAY NOT LOAN OR HIRE THE BOAT AT ANY TIME TO ANY PERSON WITHOUT MAKING DUE INQUIRY INTO THE PURPOSE OF THOSE APPLYING FOR ITS USE AND WITHOUT REASONABLY ASCERTAINING THAT THOSE APPLYING DO NOT INTEND TO USE IT TO VIOLATE THE PROVISIONS OF THIS SECTION AND THAT THE PERSONS ARE NOT EQUIPPED WITH ANY GUNS OR AMMUNITION SUITABLE FOR SHOOTING WILD WATERFOWL.

(C) PRIMA FACIE EVIDENCE OF VIOLATION. - THE FOLLOWING SHALL BE PRIMA FACIE EVIDENCE OF AN INTENTIONAL VIOLATION OF THIS SECTION AND OF THE OWNERSHIP OF THE BOAT, GUNS, AND EQUIPMENT BY PERSONS CONVICTED OF VIOLATING THIS SECTION:

(1) THE LOCATION OF ANY POWER BOAT PROPELLED BY SAIL OR ENGINE OF ANY DESCRIPTION HAVING GUNS OR OTHER EQUIPMENT USED FOR HUNTING WETLAND GAME BIRDS IN OR NEAR WATERS USED BY WILD WATERFOWL,

(2) THE FIRING OF ANY SHOTS FROM ANY BOAT OF THIS DESCRIPTION IN OR NEAR WATERS USED BY WILD WATERFOWL,

(3) THE MOVING OF ANY BOAT OF THIS DESCRIPTION IN THE DIRECTION OF WATERS INHABITED AT THAT TIME BY WILD WATERFOWL TO CAUSE THEM TO FLY FROM THE PLACE WHERE THEY ARE BEDDED.

REVISOR'S NOTE: Subsection (a) presently appears as Article 66C, section 153(a) of the Code.